

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

BLUEBECK HOLDINGS LTD.,	:	CIVIL ACTION NO.
	:	
<i>Plaintiff,</i>	:	3:23-CV-02095
	:	
v.	:	
	:	JUDGE KAROLINE
SWN PRODUCTION COMPANY, LLC,	:	MEHALCHICK
SOUTHWESTERN ENERGY	:	
COMPANY, SWN ENERGY SERVICES	:	
COMPANY, LLC, WILLIAM J. WAY,	:	
CARL GIESLER, JR., CHRISTOPHER	:	
W. LACY, JOHN KELLY, COLIN	:	
O'BEIRNE and ROBERT T. MCINTOSH,	:	
	:	
<i>Defendants.</i>	:	

**MOTION OF DEFENDANTS WILLIAM J. WAY, CARL GIESLER, JR.,
CHRISTOPHER W. LACY, JOHN KELLY, COLIN O'BEIRNE AND
ROBERT T. MCINTOSH TO DISMISS PLAINTIFF'S COMPLAINT**

Defendants William J. Way, Carl Giesler, Jr., Christopher W. Lacy, John Kelly, Colin O'Beirne, and Robert T. McIntosh (the “Individual Defendants”) move to dismiss Plaintiff’s Complaint, with respect to all claims asserted against the Individual Defendants (Counts I–III), for lack of personal jurisdiction, improper venue, and failure to state a claim upon which relief can be granted, pursuant to Federal Rules of Civil Procedure 12(b)(2), 12(b)(3), and 12(b)(6). The grounds supporting this motion will be set forth in the Individual Defendants’ supporting brief to be filed pursuant to Local Rule 7.5.

March 1, 2024

Respectfully Submitted,

/s/ Robert L. Byer

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Christopher W. Lacy, John Kelly,
Colin O'Beirne and Robert T.
McIntosh*

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SOUTHWESTERN ENERGY	:	
COMPANY, SWN ENERGY SERVICES	:	
COMPANY, LLC, WILLIAM J. WAY,	:	
CARL GIESLER, JR., CHRISTOPHER	:	
W. LACY, JOHN KELLY, COLIN	:	
O'BEIRNE and ROBERT T. MCINTOSH,	:	
<i>Defendants.</i>	:	

CERTIFICATE OF NON-CONCURRENCE

I, Christopher Casey, certify pursuant to Local Civil Rule 7.1 that counsel for Defendants William J. Way, Carl Giesler, Jr., Christopher W. Lacy, John Kelly, Colin O'Beirne, and Robert T. McIntosh sought concurrence in the foregoing Motion from counsel for Plaintiff. Counsel for Plaintiff responded that Plaintiff does not concur in the Motion.

March 1, 2024

/s/ Christopher Casey

CERTIFICATE OF SERVICE

I certify that on March 1, 2024, a copy of the foregoing was filed electronically through the Court's ECF System. Notice of this filing will be sent to all counsel of record and the parties may access this filing through the Court's ECF System.

/s/ Robert L. Byer